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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

AUGME TECHNOLOGIES, INC.,

CASE NO. C 09-5386 JCS

Plaintiff,

**STIPULATION AND [PROPOSED]  
ORDER DISMISSING WITH PREJUDICE  
YAHOO!'S CLAIM FOR INFRINGEMENT  
OF U.S. PATENT NO. 7,512,622**

v.  
YAHOO! INC.,

Defendant.

**Judge: Hon. Magistrate Joseph C. Spero**

YAHOO! INC.,

Counterclaim Plaintiff,

v.

AUGME TECHNOLOGIES, INC. and  
WORLD TALK RADIO, LLC,

Counterclaim Defendants.

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1 Pursuant to Fed. R. Civ. P. 41(a) and (c), the parties, through their undersigned counsel,  
 2 hereby stipulate, subject to the Court's approval, as follows:

3 WHEREAS, in this action, Yahoo! Inc. ("Yahoo!") asserts Patent Infringement Count One  
 4 for infringement of U.S. Patent No. 7,512,622 (the "'622 Patent") by Augme Technologies, Inc.  
 5 ("Augme") and World Talk Radio, LLC ("WTR");

6 WHEREAS, in the interest of narrowing the issues for trial and sparing the parties the  
 7 burden of discovery, Yahoo! wishes to dismiss its claim for infringement of the '622 Patent with  
 8 prejudice;

9 WHEREAS, Augme and WTR agree to dismissal of Yahoo!'s claim for infringement of  
 10 the '622 Patent;

11 THEREFORE, based on the parties' agreement, the parties respectfully request that the  
 12 Court enter an order dismissing Yahoo!'s Patent Infringement Count One against Augme and  
 13 WTR with prejudice.

14 Dated: August 21, 2012

15 Respectfully submitted,

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25 Attorneys for Defendant and Counterclaim  
 Plaintiff YAHOO! INC.

1 Dated: August 21, 2012

2  
3 Respectfully submitted,

4 By: /s/ Gregory S. Bishop

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29 Attorneys for Plaintiff and Counterclaim  
30 Defendant AUGME TECHNOLOGIES, INC.  
31 and Counterclaim Defendant  
32 WORLD TALK RADIO, LLC

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2                   **[PROPOSED ORDER]**  
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5                   PURSUANT TO STIPULATION, Yahoo!'s Patent Infringement Count One is dismissed  
6 with prejudice.  
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9                   Date: \_\_\_\_\_, 2012  
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JOSEPH C. SPERO  
UNITED STATES MAGISTRATE JUDGE

1                   **CIV. L.R. 5-1(i)(3) ATTESTATION**

2                   I, J. Ryan Gilfoil, am the ECF User whose ID and Password are being used to file this

3                   **STIPULATION AND [PROPOSED] ORDER DISMISSING WITH PREJUDICE**  
4                   **CLAIMS RELATING TO YAHOO!'S U.S. PATENT NO. 7,512,622**

5                   In compliance with Civ. L.R. 5-1(i)(3), I hereby attest that Gregory S. Bishop and Daniel P.  
6                   Muino have concurred to its filing.

7                   Dated: August 21, 2012

8                   /s/ J. Ryan Gilfoil

9                   J. Ryan Gilfoil

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